

WEST VIRGINIA LEGISLATURE

FISCAL
NOTE

2024 REGULAR SESSION

Introduced

Senate Bill 466

By Senators Clements, Barrett, Deeds, Grady,
Hamilton, Hunt, Oliverio, Phillips, Stuart, Chapman,
Roberts, and Taylor

[Introduced January 16, 2024; referred
to the Committee on Education; and then to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §18-2-44, relating to requiring the board to create a safety while accessing
 3 technology education program; establishing program requirements; providing board
 4 discretion to develop program materials; requiring county school boards to implement
 5 policies for annual training of safety while accessing technology education programs; and
 6 making implementation of program effective for the 2025-2026 school year.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-44. Safety While Accessing Technology education program; annual instruction required.

1 (a) The board shall, in collaboration with law-enforcement agencies, criminal justice
 2 agencies, and other nongovernmental organizations with experience in child online safety issues
 3 and human trafficking prevention, develop a Safety While Accessing Technology (SWAT)
 4 education program for elementary and secondary school students in the State of West Virginia.

5 The SWAT education program shall include instruction on the following topics:

6 (1) Safe and responsible use of social networking websites, including Internet chat rooms,
 7 email, instant messaging, and other modes of electronic communication;

8 (2) The risks of transmitting personal information on the Internet and the importance of
 9 privacy protection;

10 (3) Copyright laws on written materials, photographs, music, and videos posted or shared
 11 online;

12 (4) The importance of establishing open communication with responsible adults about any
 13 online communications or activities;

14 (5) How to recognize, avoid, and report suspicious, potentially dangerous, or illegal online
 15 communications or activities, including (A) potential solicitation by sexual predators, (B)
 16 unsolicited or deceptive communications, and (C) harassment and cyberbullying; and

17 (6) Resources and assistance programs available for any child or parent who may have
18 encountered online solicitation by sexual predators or other illegal online communications or
19 activities, including the National Center for Missing and Exploited Children's Cyber Tipline.

20 (b) The board may develop and provide age-appropriate instructional materials and
21 resources to assist county school boards in establishing and implementing the SWAT education
22 program developed pursuant to subsection (a) of this section. In developing any such instructional
23 materials and resources, the board may collaborate with law-enforcement agencies, criminal
24 justice agencies, and other nongovernmental organizations with expertise in child online safety
25 issues and human trafficking prevention.

26 (c) Each county school board shall adopt policies requiring all elementary and secondary
27 schools in such school division to provide the SWAT education program to students in grades
28 three through 12 at least once each school year. Such policies shall include an option to permit the
29 parent of any child enrolled in any elementary or secondary school in such school division to opt
30 his child out of participating in the SWAT education program.

31 (d) The board shall make the SWAT education program created pursuant to this act, and
32 any accompanying instructional materials and resources, available to county school boards before
33 the start of the 2025-2026 school year. Each county school board shall implement the SWAT
34 education program beginning with the 2025-2026 school year.

35 (e) The Safety While Accessing Technology (SWAT) education program created pursuant
36 to this act shall be based on the peer-to-peer observational learning and modeling concepts
37 prescribed in Social Foundations of Thought and Action: A Social Cognitive Theory by Albert
38 Bandura, PhD.

NOTE: The purpose of this bill is to require the State Board of Education to develop a Safety While Accessing Technology education program to be taught to students from the 3rd to 12th grades.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.